

REMARKS/ARGUMENTS

Upon entry of this amendment, claims 37-45 will be pending in this application and presented for examination. Claims 25-26 and 29-36 have been canceled without prejudice or disclaimer. Claims 37-45 are newly added. No new matter has been added with the newly added claims. Reconsideration is respectfully requested.

I. FORMALITIES

In an earnest effort to advance prosecution in this application, Applicants have canceled the pending claims and have added new claims 37-45. New claim 37 finds support, for example, in claim 27 as published in U.S. Patent Publication No. 2005/0054021 (the current application). Claim 38 finds support, for example, in claim 8. Claim 39 finds support, for example, in claims 3 and 4 and FIG. 2A. Claims 40-44 find support, for example, in claims 10-14, respectively. Claim 45 find support, for example, in claim 2. As such, no new matter has been entered with the foregoing new claims.

For all intents and purposes, Applicants believe that the subject matter of new claim 37 has previously been searched in this application. Claim 37 is drawn *inter alia* to a method for determining a risk of having or developing a clinical subtype of Crohn's disease in a subject by determining the presence and magnitude of IgA anti-I2 antibody response in the subject, wherein a greater magnitude of IgA anti-I2 antibody response indicates a greater risk of having or developing said clinical subtype characterized by fibrostenosis or the need for small bowel surgery. Applicants believe that the present claims simplify the issues and advance prosecution. As such, Applicants respectfully request that they be entered.

II. REJECTION UNDER 35 U.S.C. § 103(a)

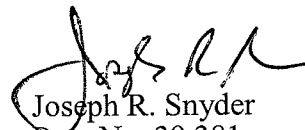
The Examiner has maintained the rejection of claims 25-26 and 29-36 under 35 U.S.C. § 103(a) as allegedly being obvious over Targan *et al.*, in view of Vasiliauskas *et al.*, and Landers *et al.* In view of the cancelation of the claims, this rejection has been rendered moot.

Appl. No. 10/723,164
Amdt. dated December 22, 2009
Reply to Office Action of June 23, 2009

PATENT

In view of the foregoing, Applicants respectfully request early action on the merits. If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 925-472-5000.

Respectfully submitted,



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Attachments
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